

In re: J McCloud Realty LLC  
Case No. 25-11778-AMC. Chapter 7

JUN 13 2025

## MOTION FOR RECONSIDERATION OF RELIEF FROM STAY UNDER FRBP 9024 (F.R.C.P. 60(b))

My name is Jamirah McCloud-Ford representing J McCloud Realty LLC, the Debtor in this case. I respectfully ask the Court to vacate the Order granting relief from the automatic stay granted May 21, 2025. This request is made pursuant to Federal Rule of Bankruptcy Procedure 9024, incorporating Federal Rule of Civil Procedure 60(b), based on excusable neglect, attorney misconduct, and extraordinary circumstances. This motion is supported by evidence of abandonment by former counsel Michael Assad and Brad Sadek and material misrepresentations that directly affected the Court's ruling and the Debtor's rights.

### LEGAL BASIS FOR RECONSIDERATION

#### 1. Excusable Neglect – Rule 60(b)(1):

On June 2, 2025 I expressly instructed counsel to file an appeal to the relief from stay on behalf of J McCloud Realty LLC before the deadline dated June 5, 2025. Instead of filing an appeal counsel took it upon himself to file motion to extend appeal which consequently made Debtor miss the deadline to appeal. This unilateral refusal constitutes excusable neglect and constructive abandonment.

#### 2. Misrepresentation and Fraud – Rule 60(b)(3):

Counsel falsely represented to the Court that Debtor lacked a business bank account and mischaracterized the source of legal fee payments. See Exhibits B and E. These falsehoods materially impacted the Court's evaluation of Debtor's financial condition.

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3. Extraordinary Circumstances – Rule 60(b)(6):

The cumulative impact of misconduct—including refusal to file motions, inaccurate billing, unauthorized withdrawal, and subtle threats constitutes extraordinary circumstances that warrant relief under Rule 60(b)(6).

4. Misconduct —Rule 9011 and Section 526(a) of Bankruptcy Code

Attorney Michael Assad and Attorney Brad Sadek of Sadek Law Offices has demonstrated unethical and illegal practices. The former attorneys of J McCloud Realty LLC violated professional conduct by over billing and refusing to represent the Debtor claiming funds were exhausted. The invoice that was submitted to Debtor on May 15, 2025 was very detailed including initials, dates, time, and an hourly rate of \$475. The invoice also included the reason for the rate. \*On the invoice dated May 8, 2025 counsel (MIA) logged “reviewed mortgage foreclosure documents” for 1.0 at the rate of \$475 but then claimed he had no knowledge of the assignment of rents. The invoice also has an entry dated February 24, 2025 logged by counsel (BJS) “INTIAL CONSULTATION” for .50 at the rate of \$237.50 but why would BJS charge a fee when his website states FREE CONSULTATION (Exhibit F) Not to mention Sadek Law Offices wasn’t officially retained until May 6, 2025. (Exhibit H) When I brought the discrepancies in billing to former counsel he didn’t correct the invoice, he justified the charges and stopped working for J McCloud Realty LLC (Exhibit Q) claiming the retainer had been exhausted and that Debtor now owes \$710. ( Exhibit D) According to former counsel at Sadek Law Offices the funds ran out before we could even go to the initial hearing scheduled May 21, 2025. J McCloud Realty LLC never stood a chance with all those false and misleading statements submitted in bankruptcy filings by Sadek Law Offices. After a lot of pressure and subtle threats advised by counsel we had no choice but to voluntarily

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dismiss CH 11.(Exhibit L) former counsel did not submit voluntary motion to dismiss CH 11 but instead attended a hearing that converted my company from Ch11 to Ch7 and granted relief of automatic stay to opposing counsel. On the same day Sadek Law Office also filed expedited motion to withdraw as counsel and is currently attempting to submit a different invoice to the courts for compensation. (Exhibit K) There are several false statements on both invoices that clearly show Sadek Law Offices did not have the Debtors's best interest. Had J McCloud Realty LLC been represented lawfully by honest counsel the CH 11 reorganization plan would be successful.

#### FACTUAL SUPPORT

- Exhibit C – Email showing refusal to file appeal.
- Exhibit B & E – Proof of misrepresentation of bank account and funding.
- Exhibit A – Evidence of unearned legal fees that were generated from saved rental income.

These exhibits collectively establish that Michael Assad and Brad Sadek (prior counsel) misconduct directly caused procedural prejudice to the Debtor.

#### EQUITABLE CONSIDERATIONS

J McCloud Realty LLC had a viable opportunity to appeal and protect the income-generating properties but was blocked by attorney misconduct. This business is more than just two properties-its how I take care of myself and family. Without these properties, there is no income. The two properties are the only asset in the business and without income I cannot pay back creditors nor move forward. I am not asking to be excused from responsibility- I'm merely asking for the opportunity to be heard, fairly with full truth on the table. Please don't let the misrepresentation of my former attorney, who misled the court and abandoned me, take away everything my company's worked hard to achieve. Allowing relief from stay to stand as is would unjustly penalize J McCloud Realty LLC and would not benefit any creditors. This Court

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has equitable authority under 11 U.S.C. § 105(a) to prevent injustice and protect due process.

**RELIEF REQUESTED**

Debtor respectfully requests that the Court:

1. Reconsider and vacates the Order granting relief from stay;
2. Reinstate or toll the appeal deadline on equitable grounds
3. Schedule a hearing to review the factual record;
4. Impose appropriate sanctions and refer prior counsel for disciplinary review;
5. Grant such further relief as the Court deems just and proper.

Respectfully submitted,

  
6/13/2025  
Jamirah McCloud-Ford on behalf of  
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